

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION No. 28058 OF 2005

04-01-2006

Between:

M/s.Torus India Limited, Vijayawada, rep. by its Managing Director.

.....Petitioner

And

The Commercial Tax Officer, Benz Circle, Vijayawada & Others.

.....Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

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ORDER : (Per Hon'ble Sri Bilal Nazki, J)

Garnishee order passed by the respondents is under challenge in this writ petition. The assessment pertains to four years i.e. 1995-96, 1997-98, 1999-2000 and 2002-2003. The learned counsel for petitioner submits that he

has no objection to deposit the amounts, which have been demanded by the notice, for the assessment years 1997-98 and 1999-2000. With regard to the assessment years 1995-96 and 2002-2003, appeals are pending and stay applications have been rejected by the competent authority.

After hearing both the Counsel, we pass the following order in the interest of justice;

That there shall be stay till disposal of the appeals with regard to assessment years 1995-96 and 2002-2003, subject to payment of Rupees ten lakhs. Since a garnishee order has already been passed and respondent No.4 has been ordered not to make payments to the petitioner, we direct respondent No.4 to transfer Rupees ten lakhs directly to respondent No.1. On transfer of such amount, the garnishee notice stands quashed.

Writ petition is accordingly disposed of. No order as to costs.

(BILAL NAZKI, J)

4th January, 2006

N.B: (D. APPA RAO, J)

C.C. in two days.

(B/o)/ajr